

AMENDED IN SENATE JUNE 22, 2010

AMENDED IN ASSEMBLY MARCH 24, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 2031**

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**Introduced by Assembly Members Evans and De La Torre**

February 17, 2010

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An act to add Section 10295.2 to the Public Contract Code, relating to public contracts.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2031, as amended, Evans. Public contracts: state acquisition of new vehicles.

Existing law imposes various requirements and prohibitions on state agency contracts for goods. Among these requirements is a requirement that the contractor certify that it has not provided goods under the contract that were produced under specified prohibited labor conditions, and that the contractor has complied with specified provisions of law.

This bill would, notwithstanding existing law, ~~prohibit a state agency or department, including the Department of General Services, from purchasing new vehicles without the approval of both the secretary or director of the agency or department, respectively, that has requested the acquisition of new vehicles, and the Department of Finance~~ *the Department of General Services from approving a contract for the purchase of new vehicles that would result in the expenditure of funds unless the secretary or director of an agency or a department, respectively, that has requested the acquisition of the new vehicles makes a certification, as specified, verifying that the purchase is vital and mission critical for the agency or department.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 10295.2 is added to the Public Contract  
2     Code, to read:  
3     ~~10295.2. Notwithstanding any other law, a state agency or~~  
4     ~~department, including the Department of General Services, shall~~  
5     ~~not purchase new vehicles without the approval of both of the~~  
6     ~~following:~~  
7     ~~(a) The secretary or director of the agency or department,~~  
8     ~~respectively, that has requested the acquisition of new vehicles.~~  
9     ~~(b) The Department of Finance.~~  
10    10295.2. (a) *No contract shall be approved by the Department*  
11    *of General Services for the purchase of new vehicles that would*  
12    *result in the expenditure of funds unless a certification is received*  
13    *in writing and signed by the secretary or director of an agency or*  
14    *a department, respectively, or his or her designees, that has*  
15    *requested the acquisition of the new vehicles, verifying that the*  
16    *purchase is vital and mission critical for the agency or department.*  
17    (b) *The certification shall include the date, title, and the*  
18    *signature of the person authorizing the purchase.*